

Independent School District, Wichita County.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, January 30, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 29, Authorizing the lending by State Highway Department of guard wire to Munday Independent School District, Knox County.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### FOURTEENTH DAY

(Tuesday, February 4, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Coker
Allen	Colson, Mrs.
Allison	Connelly
Alsup	Craig
Anderson	Crossley
Avant	Crothwait
Bailey	Davis
Baker	Deen
Bean	Dickson of Bexar
Blankenship	Dickson of Nolan
Boone	Donald
Bray	Dove
Bridgers	Duckett
Brown	Dwyer
Bruhl	Ellis
Bullock	Eubank
Bundy	Evans
Burkett	Favors
Burnaman	Ferguson
Carlton	Files
Carrington	Fitzgerald
Cato	Fuchs
Chambers	Garland
Clark	Gilmer
Cleveland	Goodman

Halsey	Markle
Hanna	Martin
Hardeman	Matthews
Hargis	Mills
Harris of Dallas	Montgomery
Harris of Hill	Moore
Hartzog	Morgan
Heflin	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Nicholson
Hobbs	Pace
Howard	Parker
Howington	Pevehouse
Hoyo	Phillips
Huddleston	Price
Huffman	Rampy
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Ridgeway
Isaacks	Roark
Jones	Roberts
Kelly	Rhodes
Kennedy	Sallas
Kersey	Senterfitt
Kinard	Sharpe
King	Shell
Klingeman	Simpson
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stanford
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
Lyle	Thornton
McAlister	Turner
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McLellan	Wattner
McMurry	Weatherford
McNamara	White
Manford	Whitesides
Manning	Winfree

Absent

Brawner Gandy

Absent—Excused

Bell	Celaya
Benton	Daniel

A quorum was announced present.

Prayer was offered by Hon. Jasper N. Reed, of Bowie County, as follows:

"Our dear Father in Heaven, accept our thanks and appreciation for every blessing of life. Bless every soul present and every home represented here. Give us knowledge and wisdom for the duties of this day. Bless our State and bless our Nation, in the name of Christ we pray."

#### LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Bell for today on motion of Mr. Morris.

Mr. Benton for today on account of death of his father, on motion of Mr. Evans.

#### HOUSE BILLS ON FIRST READING

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Lansberry, Mr. Bray and Mr. Hughes:

H. B. No. 242, A bill to be entitled "An Act amending Chapter 13, Acts Third Called Session of the Forty-second Legislature, as amended by Chapter 3, page 582, Acts Regular Session of the Forty-sixth Legislature, declaring the policy of the State with reference to building, maintaining and financing State designated roads; declaring the policy of the State with reference to financing the construction of county lateral roads; defining certain terms used throughout the Act; creating the Board of County and District Road Indebtedness, and prescribing the powers, duties and obligations of said Board; allocating revenue obtained from the occupation tax on the business of selling gasoline; creating a County and Road District Highway Fund and a Lateral Road Account, designating the money to be placed in said funds, and prescribing the manner and purposes for which such funds shall be expended; authorizing the payment out of the County and Road District Highway Fund of certain bonds and warrants issued by

the counties where the proceeds of such bonds and warrants were used in the construction of roads comprising the State System of Highways; providing for the allocation of funds credited to the Lateral Road Account, to the several counties; prescribing the duties of Commissioners Courts in expending Lateral Road Funds; providing for refunding certain county obligations and bonds; providing for the disposition of sinking funds on county bonds issued to build State designated highways; making an appropriation for the next biennium of monies coming into the County and Road District Highway Fund; providing for the handling of County Sinking Funds accumulated from the payment of certain road bonds and warrants; providing for the payment of certain Navigation District Bonds; making it a felony for any County Judge or County Commissioner to expend money coming from the Lateral Road Account contrary to the provisions of this Act and prescribing a penalty; making an appropriation for the administration of this Act; providing that if any section of this Act is unconstitutional, other portions of this Act shall not be affected thereby; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Evans:

H. B. No. 244, A bill to be entitled "An Act safeguarding life and property from electrical hazards and the promotion of the welfare of the public; defining certain words and phrases as used in this Act; establishing a State Electrical Board as a subdivision of the Fire Insurance Division of the Board of Insurance Commissioners; prescribing the duties of the Board; providing for the Board to issue orders governing installation of electrical wiring in accordance with the provisions of this Act; providing for the appointment of a Chief Inspector of the Board; providing for the examination and licensing of electrical contractors; providing for the examination and registration of journeymen electricians; requiring all electrical ma-

materials to meet certain standards and specifications of the Board; prescribing standards of electrical wiring; providing municipal regulations relative to electrical wiring shall be continued; providing for the issuance of permits for electrical work; providing for the issuance of an annual permit to certain persons, firms and corporations outside limits of municipalities having electrical ordinances; providing for the appointment of deputy state electrical inspectors; prescribing the authority of electrical inspectors; requiring that inspections be made of all installations of electrical wiring; providing that it shall be unlawful to connect electrical wiring to sources of energy that have not been inspected; prescribing the qualifications of electrical inspectors of municipalities of certain population and providing for issuance of certificates of qualification to persons so qualified; providing that any license, certificate of registration, or certificate of qualification may be revoked by the Board for cause; requiring records to be kept by the Board; providing for a separate fund to be kept of the fees collected by the Board to be known as the "Electrical Administrative Fund" and making a temporary appropriation for the Board; providing for a review of any decisions of the Chief Inspector of the Board; providing a penalty; providing a saving clause; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lyle:

H. B. No. 245, A bill to be entitled "An Act to provide for city planning; the creation, organization and powers of planning commissions; the acquisition of right to keep planned streets free from buildings; to establish an official map of the municipality; providing penalties for violation of this Act; repealing Chapter 276, Acts of 1927, Fortieth Legislature, State of Texas, page 415, and all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Lyle:

H. B. No. 246, A bill to be entitled "An Act authorizing any city or town, however incorporated, to attach land and territory not in any town or city and within five (5) miles of the limits of such towns or cities for zoning purposes; defining such purposes extending the police power of such towns and cities to include land and territory so attached and the residents and owners thereof for the purpose of enforcing its zoning ordinances; authorizing the appointments of residents of the territory so attached on the Zoning Commission and Board of Adjustment of such cities and towns; authorizing such towns and cities to fix and enforce penalties for the violation of the zoning ordinances of such towns and cities; providing if any part of this Act is held to be unconstitutional or invalid for any reason the remaining portion of this Act shall be effective and not affected by such decision; making conflicting laws inapplicable to zoning of such attached territory; providing that this Act shall be cumulative of all laws not inconsistent herewith, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mrs. Colson:

H. B. No. 247, A bill to be entitled "An Act to amend Article 6078 of the Revised Civil Statutes of 1925, so as to fix the number and extent of county parks, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Reed of Dallas:

H. B. No. 248, A bill to be entitled "An Act making a Five Thousand (\$5,000.00) Dollar emergency appropriation to the Attorney General, authorizing the Attorney General to sell his annual Opinion Report, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Reed of Bowie:

H. B. No. 249, A bill to be entitled "An Act amending Chapter 13, Acts

Third Called Session of the Forty-second Legislature, as amended; declaring the policy of the State with reference to building, maintaining and financing State designated roads; declaring the policy of the State with reference to financing the construction of county lateral roads; defining certain terms used throughout the Act; creating the Board of County and District Road Indebtedness, and prescribing the powers, duties and obligations of said Board; allocating revenue obtained from the occupation tax on the business of selling gasoline; creating a County and Road District Highway Fund and a Lateral Road Account, designating the money to be placed in said funds, and prescribing the manner and purposes for which such funds shall be expended; authorizing the payment out of the County and Road District Highway Fund of certain bonds and warrants issued by the counties where the proceeds of such bonds and warrants were used in the construction of roads comprising the State System of Highways; providing for the allocation of funds credited to the Lateral Road Account, to the several counties; prescribing the duties of Commissioners Courts in expending Lateral Road Funds; providing for refunding certain county obligations and bonds; providing for the disposition of sinking funds on county bonds issued to build State designated highways; making an appropriation for the next biennium of monies coming into the County and Road District Highway Fund; providing for the handling of County Sinking Funds accumulated from the payment of certain road bonds and warrants; providing for the payment of certain Navigation District Bonds; making it a felony for any County Judge or County Commissioner to expend money coming from the Lateral Road Account contrary to the provisions of this Act and prescribing a penalty; making an appropriation for the administration of this Act; providing that if any section of this Act is unconstitutional, other portions of this Act shall not be affected thereby; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Halsey:

H. B. No. 250, A bill to be entitled "An Act to fix the minimum rate of tax to be levied for school purposes in the Crosbyton Independent School District in Crosby County, Texas, for the purpose of maintenance, payment of bonded indebtedness, and payment of such time warrants as may be legally authorized and issued by said district, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Anderson, Mr. Ridgeway, Mr. Hoyo, Mr. Dwyer and Mr. Dickson of Bexar:

H. B. No. 251, A bill to be entitled "An Act making an appropriation for the use of the San Antonio River and Conservancy District; providing manner for signing warrants; providing that any unexpended balance on August 31, 1943, be repaid to the State of Texas; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Knight and Mr. Lucas:

H. B. No. 252, A bill to be entitled "An Act to require manufacturers of boots or shoes to stamp on the outside sole of said boots or shoes, where and by whom made and what substitute for leather, if any, was used; and to require the dealer in boots or shoes to stamp in like manner as above mentioned; providing that this Act shall not apply to the manufacture or sale of rubber boots or shoes or rubber or wood heels or steel shanks used in manufacturing shoes, and that this Act shall not apply to dealers unknowingly selling boots or shoes imperfectly stamped in violation of this Act; fixing penalty for violation of this Act; and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Mr. Lyle (by request):

H. B. No. 253, A bill to be entitled "An Act to amend Chapter 231, page 342, Acts of 1927, Fortieth Legislature, being Article 974a, Revised Civil Statutes of Texas, granting au-

thority to cities to control the platting of surrounding territory and to provide in addition to the provisions of said Act that approval of a plat shall constitute an amendment to the master city plan, providing that the planning commission or governing body may agree with the subdivider upon building restrictions which shall have force of law, making it unlawful and a misdemeanor for anyone to transfer a lot in an unapproved subdivision by reference to a plat or describing such lot by metes and bounds, and providing a penalty therefor; providing for the repeal of laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Lyle (by request):

H. B. No. 254, A bill to be entitled "An Act authorizing Commissioners Courts of counties which now have or may hereafter have a population of not less than seventy-five thousand (75,000) to provide for county planning and zoning; authorizing two or more counties to provide for regional planning; providing for the creation, organization and powers of county and regional planning commissions; for the adoption of a master county plan or regional plan; for the control and regulation of subdivision planning, for the establishment of building lines along major thoroughfares and board of adjustment relating thereto; for the zoning of the unincorporated portions of such counties by dividing such unincorporated areas into districts and by regulating therein the location and use of buildings, structures and land, the height and size of all buildings, the density of population, the size of yards, courts and other open spaces; to provide for the adoption and change of such regulations and boundaries of districts; to provide for a Board of Adjustment; to provide for penalties and the enforcement of the Act; providing for appropriations by County Commissioners; defining terms; repealing all Acts in conflict herewith; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Crosthwait and Mr. Alsup:

H. B. No. 255, A bill to be entitled "An Act providing for the public sale of all bonds issued by any county, city, town, school district, or other political subdivision or municipal corporation of the State of Texas; providing for advertisement of such sale, for sealed bids, for the deposit of checks by bidders in the amount of two per cent of the face value of the bonds, for the opening of the bids, for the rejection of bids, for subsequent advertisement and for private sales, and requiring that a certified copy of the list of bids be sent to the Attorney General before the approval of the bonds, and declaring an emergency."

Referred to the Committee on Counties.

By Mrs. Colson:

H. B. No. 256, A bill to be entitled "An Act to provide that the Commissioners Court of any county in the State may abolish dormant road districts which have paid off and discharged all of the bonds issued and sold by said road district, or when an election in such created road district for issuance of bonds shall have failed, or when the bonds issued by such road district have been assumed and exchanged for county bonds under the compensation bond statutes, Chapter 16, page 23, General Laws, Thirty-ninth Legislature, First Called Session, 1926; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Carrington and Mr. Stanford:

H. B. No. 257, A bill to be entitled "An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and

administration of such projects of the Federal Government, to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Davis:

H. B. No. 258, A bill to be entitled "An Act amending Article 2982, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill No. 477, Regular Session of the Forty-fourth Legislature, Acts 1935, Chapter 208, so as to provide that there shall be posted in a conspicuous place in every voting booth and voting place the full text of each and every proposed constitutional amendment to be voted on by the people; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Clark:

H. B. No. 259, A bill to be entitled "An Act amending Chapter 73, General Laws of the Regular Session of the 44th Legislature so as to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census has a population of not fewer than five thousand, eight hundred and fifteen (5,815) and not more than five thousand, eight hundred and thirty-five (5,835) inhabitants, whether organized under General or Special Law, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Baker and Mr. Burkett:

H. B. No. 260, A bill to be entitled "An Act to amend Article 6205 of the Revised Civil Statutes of 1925 of the State of Texas, as amended by the Thirty-ninth Legislature, page 222, Chapter 69, and by the Forty-first Legislature, page 330, Chapter 153, Section 1, and by the Forty-first Legislature, Fifth Called Session, page 251, Chapter 82, Section 1, and by the Forty-second Legislature, page 434, Chapter 262, Section 2, and by the Forty-fifth Legislature, Acts of 1937, House Bill No. 651, Section 1; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Bell, Mr. Hartzog, Mr. Harris of Dallas and Mr. Dwyer:

H. B. No. 261, A bill to be entitled "An Act defining its purpose, defining terms, repealing certain articles of the Penal Code, legalizing operation of major horse race courses and fair park horse race courses and pari-mutuel wagering in connection therewith under license and only under license from the Texas Horse Racing Commission; prohibiting operation of pari-mutuel pools except within the racing enclosure of licensed tracks; prescribing punishment; declaring operation of pari-mutuel pools or acceptance of bets on horse races except in conformity with the Act to be bookmaking, defining the offense of bookmaking and prescribing punishment; prescribing punishment for three offenses of bookmaking; prescribing punishment for other violations of the Act; the creation of the Texas Horse Racing Commission, prescribing its jurisdiction, powers, qualification of members to serve without compensation except reimbursement of expense, setting forth method of appointment, creating office of Executive Secretary to Commission, prescribing powers of Executive Secretary and his compensation; creating office of State Racing Veterinarian, defining his powers, providing for his compensation, creating office of Director of Racing, prescribing method of appointment, compensation, powers and duties and

qualifications for office; permitting employment of other employees; authorizing Commission to promulgate rules and regulations; prescribing license fees and taxes to be paid by licensees in operation of major horse race course and fair park horse race course; prescribing additional taxes upon licensees of major horse race courses over and above net earnings of ten per cent; providing method and amount of sums to be retained from mutuels by licensees; providing method for application for license to operate major horse race courses and fair park horse race courses and proceedings under applications for license, and providing for earnings to be held thereon by Commission; providing standards upon which Commission may issue license and limiting one license to one county for each class of racing; limiting number of meetings and number of days of racing; requiring preference in license to Texas breeders; prescribing conditions of license, rights thereunder and term thereof, and for revocation; providing license shall be nonassignable; requiring all leases of racing plants to be approved by Commission and requiring Commission's approval to all salaries paid by licensees; requiring Commission's approval to sale of concessions, and prescribing conditions of sale; levying a tax upon the sale of all concessions and upon all goods, wares and merchandise, including beverages, sold at horse racing plants; prohibiting exclusive feed concessions and requiring preference to Texas breeders in allotment of stalls at horse racing plants; requiring one race per day for Texas foaled horses; requiring Commission to approve purses paid; providing for application for and allocation of racing dates; providing for licensing of owners and trainers and of employees of licensee; requiring licensees to give preference in employment to Texas citizens and requiring ninety-five per cent of all employees to be bona fide residents and citizens of Texas, exclusive of governing and managing officials and heads of departments; providing for refusal to license anyone suspended in another State; prohibiting prearranging horse races and use of stimulants and mechanical devices and

prescribing punishment for violations, requiring Commission to make rules and regulations with respect to the use of stimulants, drugs and improper devices; requiring bonds of licensees of major horse race courses and of fair park horse race courses, amounts and conditions thereof; defining the hours of racing; requiring licensees to have one charity day out of each horse race meeting; requiring division of purses with breeders of Texas horses; requiring licensees to maintain books and records and for inspection thereof by the Commission; providing for enforcement of Act by injunction and for restraining violations thereof, investing any district court of Travis County, Texas, and other courts with jurisdiction of injunction suits; prescribing further requirements for issuance of license for operation of fair park horse race courses; permitting the consideration of more than one application at the same time and postponement of hearings, and prescribing method of compliance with service requirements; defining racing enclosure and racing hours and prohibiting sale of pari-mutuel tickets except by licensees within the racing enclosures during racing hours; providing for formation of private corporations to operate major horse race courses and fair park horse race courses and permitting amendments to charter of present fair corporations so as to avail such corporations with privileges of this Act; appropriating revenue first to expenses authorized by Act and remainder twenty-five per cent to available Public Free School Fund and remaining seventy-five per cent to Old Age Assistance Fund; providing that payment of taxes and license fees prescribed in Act shall be in lieu of all other excise or occupational taxes; providing that provisions shall be cumulative and defining effect of partial invalidity; prescribing title of Act and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. McLellan:

H. B. No. 262, A bill to be entitled "An Act authorizing the commissioners' court in all counties of this

State to provide fire protection and fire fighting equipment for the citizens of the county outside of any city, town or village therein, either by the purchase and maintenance by the county of the necessary equipment, or by entering into contracts with the governing body of cities, towns or villages located within the county for the use of the fire fighting equipment of the city, town or village; providing that the operation of any fire fighting equipment outside the city limits of any city, town or village, pursuant to contracts with the commissioners' court of the county, shall be considered as operations of the county, and all persons engaged in such operations, notwithstanding they may be employees of a city, town or village, shall be considered as agents for the county in all respects; and declaring an emergency."

Referred to the Committee on Counties.

#### HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution introduced today was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. McAlister, Miss Files, Mr. Morse, Mr. Daniel, Mr. Bridgers, Mr. Cleveland, Mr. Pevehouse, Mr. Stinson, Mr. Stubbs, Mr. Huffman, Mr. Humphrey, Mr. Connelly, Mr. Harris of Dallas, Mr. Carlton, Mr. Allen, Mr. Little, Mr. Manford, Mr. Morgan and Mr. Deen:

H. J. R. No. 11, Ratifying an Amendment to the Constitution of the United States of America passed by the Sixty-eighth Congress of the United States of America, at the First Session, which amendment empowers the Congress to limit, regulate and prohibit the labor of persons under eighteen years of age.

Referred to the Committee on Constitutional Amendments.

#### ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House the following Members were

authorized to sign bills as co-authors of same, as follows:

Mr. Wattner: House Bill No. 54.

Mr. Morgan: House Bills Nos. 225 and 226.

Mr. Blankenship: House Bills Nos. 231 and 232.

Mr. Crosthwait: House Bill No. 125.

Mr. Ferguson: House Bill No. 119.

Mr. Dwyer: House Bill No. 261.

Mr. Bailey: House Bill No. 125.

#### COMMUNICATION

The Speaker laid before the House and had read the following communication:

San Antonio, Texas,  
February 3, 1941.

Hon. E. R. Lindley, Chief Clerk,  
House of Representatives, Austin,  
Texas.

Dear Mr. Lindley: I am just in receipt of a copy of House Simple Resolution No. 82, adopted January 29th, in memory of my mother, Mrs. Samantha Victoria McAdams Burkett, and in reply thereto, I desire to state that I sincerely appreciate the thoughtfulness and kindness of the House of Representatives, and the individual Members thereof, in passing such resolution, and I assure you that I shall treasure same as a priceless memorial the remainder of my life.

As a former Member of your Honorable Body, I desire that you express to the House, through its Speaker, Hon. Homer Leonard, my sincerest thanks and appreciation.

Yours very truly,

JOE BURKETT

409 Houston Building,  
San Antonio.

#### REQUESTING THE ATTORNEY GENERAL TO MAKE CER- TAIN INVESTIGATION

Mr. Deen offered the following resolution:

H. C. R. No. 32, Requesting the Attorney General to Institute an Investigation of Prices on Farm Implements and Machinery.



Whereas, The price of farm implements and machinery have greatly increased within the past few years; and

Whereas, In some instances the price of said implements and machinery has doubled; and

Whereas, The price of labor and products have not so advanced; and

Whereas, It is evident that the farmer is greatly handicapped by the exorbitant prices he has to pay for the implements and machinery of his vocation; now, therefore,

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Attorney General of the State of Texas be requested, and is requested, to make an investigation of the farm implement and machinery business in this State, with particular regard to violation of the Anti-Trust Laws of the State; and if evidence is found of the violation of these or any other laws of the State of Texas, to institute such legal proceedings as he may deem proper.

DEEN,  
KING,  
DOVE,  
BRAWNER,  
EUBANK,  
EVANS.

The resolution was read second time and was adopted.

#### SENATE BILL NO. 75 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 75, A bill to be entitled "An Act to validate the organization and creation of all Junior College Districts and Union Junior College Districts, created in any manner under the provision of the Acts of the Forty-first Legislature, 1929, Page 648, Chapter 290, and under any amendments thereof; validating all proceedings and acts of the County Boards of Education, all acts of the State Board of Education, and all acts of the Commissioners Courts of this State heretofore taken in creating or undertaking to create such Junior College Districts; validating all elections held for the creation of such Junior College Dis-

tricts, the election of trustees thereof, and the voting of bonds therefor; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 75 ON THIRD READING

Mr. Nicholson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 75 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

Allison	Fitzgerald
Alsup	Fuchs
Avant	Gandy
Bailey	Garland
Baker	Gilmer
Blankenship	Goodman
Boone	Hanna
Brawner	Hargis
Bray	Harris of Dallas
Bridgers	Harris of Hill
Brown	Hartzog
Bruhl	Heflin
Bullock	Helpinstill
Bundy	Henderson
Burkett	Hileman
Burnaman	Hobbs
Carlton	Howard
Carrington	Howington
Cato	Hoyo
Chambers	Huddleston
Clark	Hughes
Cleveland	Humphrey
Coker	Isaacks
Colson, Mrs.	Jones
Connelly	Kelly
Craig	Kennedy
Crossley	Kersey
Crothwait	Kinard
Davis	King
Deen	Klingeman
Dickson of Bexar	Knight
Dickson of Nolan	Lansberry
Donald	Lehman
Dove	Little
Duckett	Love
Dwyer	Lowry
Ellis	Lucas
Eubank	Lyle
Evans	McAlister
Favors	McCann
Ferguson	McDonald
Files	McGlasson

McNamara	Roberts
Manford	Rhodes
Manning	Sallas
Markle	Senterfitt
Martin	Sharpe
Matthews	Shell
Mills	Simpson
Montgomery	Skiles
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Spangler
Murray	Stanford
Nicholson	Stinson
Pace	Taylor
Parker	Thornton
Pevehouse	Turner
Phillips	Vale
Price	Voigt
Rampy	Walters
Reed of Bowie	White
Reed of Dallas	Whitesides
Ridgeway	Winfree
Roark	

## Nays—1

McLellan

## Absent

Allen	Leyendecker
Anderson	Lock
Bean	McMurry
Halsey	Stubbs
Hardeman	Wattner
Huffman	Weatherford
Hutchinson	

## Absent—Excused

Bell	Celaya
Benton	Daniel

The Speaker then laid Senate Bill No. 75 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—137

Allen	Bray
Allison	Bridgers
Alsup	Brown
Anderson	Bruhl
Avant	Bullock
Bailey	Bundy
Baker	Burkett
Bean	Burnaman
Blankenship	Carlton
Boone	Carrington
Brawner	Cato

Chambers	Love
Clark	Lowry
Cleveland	Lucas
Coker	Lyle
Colson, Mrs.	McAlister
Connelly	McCann
Craig	McDonald
Crossley	McGlasson
Crosthwait	McNamara
Davis	Manford
Deen	Manning
Dickson of Bexar	Markle
Dickson of Nolan	Martin
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morgan
Eubank	Morris
Evans	Morse
Favors	Murray
Ferguson	Nicholson
Files	Pace
Fitzgerald	Parker
Gandy	Pevehouse
Garland	Phillips
Gilmer	Price
Goodman	Rampy
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Roark
Harris of Hill	Roberts
Heflin	Rhodes
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Sharpe
Hobbs	Shell
Howard	Simpson
Howington	Skiles
Hoyo	Smith of Bastrop
Huddleston	Smith of Atascosa
Hughes	Spacek
Humphrey	Spangler
Isaacks	Stanford
Jones	Stinson
Kelly	Stubbs
Kennedy	Taylor
Kersey	Thornton
Kinard	Turner
King	Vale
Klingeman	Voigt
Knight	Walters
Lansberry	Weatherford
Lehman	White
Leyendecker	Whitesides
Little	Winfree
Lock	

## Nays—1

McLellan

## Absent

Fuchs	Hutchinson
Hardeman	McMurry
Hartzog	Wattner
Huffman	

## Absent—Excused

Bell	Celaya
Benton	Daniel

HOUSE BILL NO. 29 ON  
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 29, A bill to be entitled "An Act to amend Chapter 5, Title 14, of the Revised Criminal Statutes of Texas of 1925, as amended, by amending Articles 1037 and 1037a relating to weights and measures, and by adding the new Articles numbered as follows: Articles 1037b, 1037c, 1037d, 1037e, 1037f, 1037g, 1037h, 1037i, and 1037j; prohibiting the sale, use, or possession of false weights, measures, or weighing or measuring devices and weights, measures, or weighing or measuring devices which have not been sealed by a weights and measures official; prohibiting the sale and use of devices which have been condemned for repairs; prohibiting the sale of commodities contrary to law; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 29 ON  
THIRD READING

Mr. Chambers moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—138

Allen	Blankenship
Allison	Boone
Alsup	Brawner
Anderson	Bray
Avant	Bridgers
Bailey	Brown
Baker	Bruhl
Bean	Bullock

Bundy	Lansberry
Burkett	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McCann
Connelly	McDonald
Craig	McGlasson
Crossley	McLellan
Crosthwait	McMurry
Davis	McNamara
Deen	Manford
Dickson of Bexar	Manning
Dickson of Nolan	Markle
Donald	Martin
Dove	Matthews
Duckett	Mills
Dwyer	Moore
Ellis	Morse
Eubank	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Phillips
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Gilmer	Ridgeway
Goodman	Roark
Halsey	Roberts
Hanna	Rhodes
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Hartzog	Shell
Heflin	Simpson
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howington	Spangler
Hoyo	Stanford
Huddleston	Stinson
Hughes	Stubbs
Humphrey	Taylor
Hutchinson	Thornton
Isaacks	Turner
Jones	Vale
Kelly	Voigt
Kennedy	Walters
Kersey	Wattner
Kinard	Weatherford
King	White
Klingeman	Whitesides
Knight	Winfree

**Absent.**

Hardeman	Morgan
Howard	Morris
Huffman	Nicholson
Montgomery	

**Absent—Excused**

Bell	Celaya
Benton	Daniel

The Speaker then laid House Bill No. 29 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—122

Allen	Harris of Dallas
Allison	Harris of Hill
Alsup	Heflin
Anderson	Helpinstill
Avant	Henderson
Bailey	Hobbs
Baker	Howington
Bean	Hoyo
Boone	Huddleston
Brawner	Hughes
Bray	Humphrey
Bridgers	Hutchinson
Brown	Jones
Bullock	Kelly
Carlton	Kennedy
Cato	Kersey
Clark	Kinard
Cleveland	King
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Leyendecker
Crosthwait	Little
Davis	Lock
Deen	Love
Dickson of Bexar	Lowry
Dickson of Nolan	Lucas
Donald	McAlister
Dove	McCann
Duckett	McDonald
Ellis	McGlasson
Eubank	McLellan
Favors	McMurry
Ferguson	McNamara
Fitzgerald	Manford
Fuchs	Manning
Gandy	Markle
Garland	Martin
Gilmer	Matthews
Goodman	Mills
Halsey	Moore
Hanna	Morgan

Morris	Shell
Morse	Simpson
Murray	Skiles
Pace	Smith of Bastrop
Parker	Smith of Atascosa
Pevehouse	Spacek
Phillips	Spangler
Price	Stanford
Rampy	Taylor
Reed of Bowie	Thornton
Reed of Dallas	Vale
Ridgeway	Voigt
Roark	Walters
Roberts	Wattner
Rhodes	Weatherford
Sallas	White
Senterfitt	Whitesides
Sharpe	Winfree

**Absent**

Blankenship	Hartzog
Bruhl	Hileman
Bundy	Howard
Burkett	Huffman
Burnaman	Isaacks
Carrington	Lyle
Chambers	Montgomery
Dwyer	Nicholson
Evans	Stinson
Files	Stubbs
Hardeman	Turner
Hargis	

**Absent—Excused**

Bell	Celaya
Benton	Daniel

### HOUSE BILL NO. 30 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 30, A bill to be entitled "An Act to amend Chapter 7, Title 93, of the Revised Civil Statutes of Texas of 1925, as amended, pertaining to weights and measures, and the Babcock Test for Butterfat, by amending Articles 5714, 5736b, and 5736c, by adding a new article to be numbered 5714a; providing for the promulgation of specifications, tolerances, and regulations for commercial weighing and measuring devices; providing for the approval of pattern for commercial weighing and measuring devices; repealing the penalty in Articles 5714; providing for the licensing of samplers and testers of milk and cream; providing for de-

posit of fees in State Treasury for enforcement of Act; eliminating substitute tester; reducing penalty provided in Article 5736c; repealing all laws in conflict herewith; including a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

### HOUSE BILL NO. 30 ON THIRD READING

Mr. Fuchs moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allison	Evans
Alsup	Favors
Anderson	Ferguson
Avant	Files
Bailey	Fitzgerald
Baker	Fuchs
Bean	Gandy
Blankenship	Garland
Boone	Hanna
Brawner	Harris of Dallas
Bray	Helpinstill
Bridgers	Henderson
Brown	Hileman
Bullock	Hobbs
Bundy	Howard
Burkett	Howington
Burnaman	Hoyo
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Klingeman
Connelly	Knight
Craig	Lansberry
Crossley	Lehman
Crosthwait	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dove	Lowry
Duckett	Lucas
Dwyer	Lyle
Ellis	McAlister
Eubank	McCann

McGlasson  
McLellan  
McMurry  
McNamara  
Manford  
Manning  
Martin  
Matthews  
Mills  
Montgomery  
Moore  
Morgan  
Morris  
Morse  
Murray  
Nicholson  
Parker  
Pevehouse  
Phillips  
Price  
Rampy  
Reed of Bowie  
Reed of Dallas  
Ridgeway  
Roark

Roberts  
Rhodes  
Sallas  
Senterfitt  
Sharpe  
Shell  
Simpson  
Skiles  
Smith of Bastrop  
Smith of Atascosa  
Spacek  
Spangler  
Stanford  
Stinson  
Stubbs  
Taylor  
Thornton  
Vale  
Voigt  
Walters  
Wattner  
Weatherford  
White  
Whitesides

### Absent

Allen	Heflin
Bruhl	Huddleston
Dickson of Nolan	Huffman
Donald	Hughes
Gilmer	Kinard
Goodman	King
Halsey	McDonald
Hardeman	Markle
Hargis	Pace
Harris of Hill	Turner
Hartzog	Winfree

### Absent—Excused

Bell	Celaya
Benton	Daniel

The Speaker then laid House Bill No. 30 before the House on third reading and final passage.

The bill was read third time.

On motion of Mr. Chambers, and by unanimous consent of the House, permission was granted to change the words "Revised Civil Statutes" to "Penal Code" wherever they appear in the bill or caption.

House Bill No. 30 was then passed by the following vote:

Yeas—130

Allen	Anderson
Allison	Alsup

Avant	Kinard
Bailey	Klingeman
Baker	Knight
Bean	Lansberry
Blankenship	Lehman
Boone	Leyendecker
Brawner	Little
Bray	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McLellan
Chambers	McMurry
Clark	McNamara
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Matthews
Craig	Mills
Crossley	Montgomery
Crosthwait	Moore
Davis	Morgan
Deen	Morse
Dickson of Bexar	Murray
Duckett	Nicholson
Dwyer	Pace
Ellis	Parker
Eubank	Pevehouse
Evans	Phillips
Favors	Price
Ferguson	Rampy
Files	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Ridgeway
Gandy	Roark
Garland	Roberts
Hanna	Rhodes
Hargis	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Hartzog	Shell
Helpinstill	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howington	Spacek
Hoyo	Spangler
Huddleston	Stanford
Hughes	Stinson
Humphrey	Stubbs
Hutchinson	Taylor
Isaacks	Thornton
Jones	Turner
Kelly	Vale
Kennedy	Voigt
Kersey	Walters

Wattner	White
Weatherford	Whitesides

Absent

Bruhl	Heflin
Dickson of Nolan	Howard
Donald	Huffman
Dove	King
Gilmer	Martin
Goodman	Morris
Halsey	Winfree
Hardeman	

Absent—Excused

Bell	Celaya
Benton	Daniel

#### MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

February 4th, 1941.

To the Members of the Forty-seventh Legislature:

I hereby submit to you for emergency consideration, the subjects contained in Senate Bill No. 13 by Senator W. E. Stone of Galveston, and House Bill No. 2 by Representatives Brown and Markle of Galveston, both bills being identical in language and in purpose.

For many years, Galveston has been one of the State's largest seaports, and the people of Texas as well as thousands of visitors from other States in the Union have been going to Galveston in constantly increasing numbers to enjoy the beaches and seek rest and diversion at the seashore.

The rapid increase in the population of Texas, together with the increasing number of out-of-State visitors, make it necessary for the people of Galveston to develop and make use of the resources of the city, and particularly its beachfront, in order to afford means of recreation and wholesome diversion and amusement for the city's visitors.

The present administration of the City of Galveston, supported by citizens in large numbers and from all walks of life, have conceived the idea of building a large pleasure pier extending from the shore out

into the waters of the Gulf of Mexico for at least fourteen hundred (1400) feet, upon which will be located various things for the comfort and recreation of the people of Texas and its visitors. The city does not have available lands upon the shore upon which such a place can be established and maintained as suitably and as attractively as upon such a proposed pier extending over the waters of the Gulf of Mexico. It is the purpose of the citizens of Galveston to construct a steel and concrete pier about one hundred and twenty (120) feet in width, fourteen hundred (1400) feet in length and twenty-seven (27) feet above the water, excepting a fishing platform at the outer end of said pier which will be about seven (7) feet above the water. In addition to providing facilities which the many visitors to the city can use for fishing, it is the plan of the citizens of Galveston to construct on said pier a moving picture theatre, a convention hall, an aquarium, an arena for aquatic sports and exhibitions, comfortable and attractive resting places, and many other means of recreation and diversion.

The estimated cost of this pier is \$1,400,000.00. The project has been submitted to the Reconstruction Finance Corporation for its consideration and approval and that governmental agency has agreed to lend \$1,100,000.00 upon bonds to be secured from the pier and to be payable only from its revenue. The voters of Galveston, by a large majority, have authorized the issuance of the city's bonds, payable from taxes, in the total amount of \$300,000.00 as the city's contribution to the cost of the construction pier, and its maintenance. Although this pier will be used for the enjoyment of all the people of Texas, the State of Texas can never be called upon to contribute to the expense of the construction, maintenance or operation of said pier.

The bills which I referred to in Paragraph One of this message are now submitted to you as an emergency matter for immediate consideration and merely grant to the City of Galveston the permission of the State of Texas to erect this pier over

the tidelands and waters of the Gulf of Mexico. Unless this permission is granted, the city will not, under the decisions of our Supreme Court, have authority to erect this structure.

I wish to point out to the Members of the Legislature that the tidelands and the waters of the Gulf of Mexico over which the pier would be constructed and which would be used in connection with such construction, are not needed or suitable for commercial navigation. In view of the fact that the tidelands and the bed of the Gulf of Mexico are not taxable, no loss in revenue to the State will occur by granting to the City of Galveston the permission to erect this structure.

Great increase in summer visitors to Galveston has brought about new problems in protecting their safety while enjoying bathing and other diversions upon the beaches, and particularly protection against the dangers which automobile traffic upon the beaches has brought about. In order to provide places of safety against such dangers and to afford improved facilities for persons seeking diversion on the beaches at Galveston, the City of Galveston is also asking the Legislature to give its governing body the power of management and control over the tidelands and waters of the Gulf of Mexico in front of property which the city has acquired for park purposes. The bills above referred to grant this right to the City of Galveston and limit the same strictly to the tidelands and the waters of the Gulf of Mexico immediately in front of the city's park property.

I believe this improvement at this great seashore city will attract thousands of visitors to our State, and I urge you to give prompt and careful attention and consideration to Senate Bill No. 13 and House Bill No. 2, and especially do I urge that every precaution be taken to protect our public school interests by making sure that only surface rights to State lands are to be leased and that all mineral rights are to be securely retained by the State.

Respectfully submitted,

W. LEE O'DANIEL,

Governor of Texas.

### PROPOSED AMENDMENT TO HOUSE RULES

Mr. Turner offered the following resolution:

H. S. R. No. 95, Proposed Amendment to Rule I, Section 3, of the House Rules.

Resolved, That the House Rules be amended in Rule I, Section 3, by changing the "period" to a "comma" and adding the following: provided, however, that the use of the Hall of the House and/or public address system shall not be granted for any meeting other than legislative meetings between the hours of 8:00 a. m. and 10:00 p. m. during the time the Legislature is in session.

The resolution was read second time and was referred by the Speaker to the Committee on Rules.

### BILL REREFERRED

Mr. Skiles moved that Senate Bill No. 38 be withdrawn from the Committee on Military Affairs and referred to the Committee on Education.

The motion prevailed.

(Mr. Anderson in the Chair.)

### MESSAGE FROM THE SENATE

Austin, Texas, February 4, 1941.  
Hon. Homer Leonard, Speaker of the House.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 105, A bill to be entitled "An Act authorizing navigation districts heretofore or hereafter organized, containing municipalities of one hundred thousand population or more, to lease any of their lands or facilities to the United States Government or to any agency thereof, or to any person, firm, or corporation whose activities are connected with, or contribute to, the construction, maintenance, operation, and development of the port and its facilities and of its waterways, or whose activities are connected with commerce and navigation, etc."

Respectfully,

**BOB BARKER,**

Secretary of the Senate.

### SENATE BILLS ON FIRST READING

The following Senate bill, received from the Senate, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 105, to the Committee on Counties.

(Speaker in the Chair.)

### BILLS ORDERED NOT PRINTED

On motion of Mr. Montgomery, Senate Bill No. 105 was ordered not printed.

On motion of Mr. Skiles, House Bill No. 140 was ordered not printed.

### SENATE BILL NO. 105 ON SECOND READING

Mr. Winfree moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 105 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Allison	Davis
Alsup	Deen
Anderson	Dickson of Bexar
Avant	Dickson of Nolan
Bailey	Donald
Baker	Dove
Bean	Dwyer
Boone	Ellis
Brawner	Eubank
Bray	Favors
Bridgers	Ferguson
Brown	Files
Bruhl	Fitzgerald
Bullock	Fuchs
Bundy	Gandy
Burkett	Garland
Carlton	Gilmer
Cato	Goodman
Clark	Halsey
Cleveland	Hanna
Coker	Hardeman
Colson, Mrs.	Hargis
Connelly	Harris of Dallas
Craig	Harris of Hill
Crossley	Hartzog
Crosthwait	Heflin



Helpinstill	Mills
Henderson	Montgomery
Hileman	Moore
Hobbs	Morgan
Howard	Morris
Howington	Morse
Hoyo	Nicholson
Huddleston	Pace
Huffman	Parker
Hughes	Pevehouse
Humphrey	Phillips
Hutchinson	Price
Isaacks	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Kersey	Roark
Kinard	Roberts
King	Rhodes
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Sharpe
Lehman	Shell
Leyendecker	Simpson
Little	Skiles
Love	Smith of Bastrop
Lowry	Smith of Atascosa
Lucas	Spacek
Lyle	Spangler
McAlister	Stinson
McCann	Stubbs
McDonald	Taylor
McGlasson	Thornton
McLellan	Vale
McMurry	Walters
McNamara	Wattner
Manford	Weatherford
Manning	White
Markle	Whitesides
Martin	Winfree
Matthews	

**Absent**

Allen	Evans
Blankenship	Lock
Burnaman	Murray
Carrington	Stanford
Chambers	Turner
Duckett	Voigt

**Absent—Excused**

Bell	Celaya
Benton	Daniel

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 105, A bill to be entitled "An Act authorizing navigation districts heretofore or hereafter organized, containing municipalities of one

hundred thousand population or more, to lease any of their lands or facilities to the United States Government or to any agency thereof, or to any person, firm, or corporation whose activities are connected with, or contribute to, the construction, maintenance, operation, and development of the port and its facilities and of its waterways, or whose activities are connected with commerce and navigation, etc."

The bill was read second time and was passed to third reading.

**SENATE BILL NO. 105 ON  
THIRD READING**

The Speaker then laid Senate Bill No. 105 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—139**

Allison	Dwyer
Alsup	Ellis
Anderson	Eubank
Avant	Evans
Bailey	Favors
Baker	Ferguson
Bean	Fitzgerald
Blankenship	Fuchs
Boone	Gandy
Brawner	Garland
Bray	Gilmer
Bridgers	Goodman
Brown	Halsey
Bruhl	Hanna
Bullock	Hardeman
Bundy	Hargis
Burkett	Harris of Dallas
Burnaman	Harris of Hill
Carlton	Hartzog
Cato	Heflin
Chambers	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howard
Connelly	Howington
Craig	Hoyo
Crossley	Huddleston
Crothwait	Huffman
Davis	Hughes
Deen	Humphrey
Dickson of Bexar	Hutchinson
Dickson of Nolan	Isaacks
Donald	Jones
Dove	Kelly
Duckett	Kennedy

Kersey	Parker	Bailey	King
Kinard	Pevehouse	Baker	Klingeman
King	Price	Bean	Knight
Klingeman	Rampy	Blankenship	Lansberry
Knight	Reed of Bowie	Boone	Lehman
Lansberry	Reed of Dallas	Brawner	Leyendecker
Lehman	Ridgeway	Bray	Little
Leyendecker	Roark	Bridgers	Lock
Little	Roberts	Brown	Love
Lock	Rhodes	Bruhl	Lowry
Love	Sallas	Bullock	Lucas
Lowry	Senterfitt	Bundy	Lyle
Lucas	Sharpe	Burkett	McAlister
Lyle	Shell	Burnaman	McCann
McAlister	Simpson	Carlton	McDonald
McCann	Skiles	Cato	McGlasson
McDonald	Smith of Bastrop	Clark	McLellan
McGlasson	Smith of Atascosa	Cleveland	McMurry
McLellan	Spacek	Coker	McNamara
McMurry	Spangler	Colson, Mrs.	Manford
McNamara	Stanford	Connelly	Manning
Manford	Stubbs	Craig	Markle
Manning	Taylor	Crosthwait	Martin
Markle	Thornton	Davis	Matthews
Martin	Turner	Dickson of Bexar	Mills
Matthews	Vale	Dickson of Nolan	Montgomery
Mills	Voigt	Duckett	Moore
Montgomery	Walters	Dwyer	Morgan
Moore	Wattner	Ellis	Morris
Morgan	Weatherford	Eubank	Morse
Morris	White	Evans	Nicholson
Morse	Whitesides	Favors	Pace
Nicholson	Winfree	Ferguson	Parker
Pace		Files	Pevehouse
		Fitzgerald	Phillips
		Fuchs	Price
		Gandy	Rampy
		Garland	Reed of Bowie
		Gilmer	Reed of Dallas
		Goodman	Ridgeway
		Halsey	Roark
		Hanna	Roberts
		Hargis	Rhodes
		Harris of Dallas	Sallas
		Harris of Hill	Senterfitt
		Hartzog	Sharpe
		Helpinstill	Shell
		Henderson	Simpson
		Hileman	Skiles
		Howard	Smith of Bastrop
		Howington	Smith of Atascosa
		Hoyo	Spacek
		Huffman	Spangler
		Hughes	Stanford
		Humphrey	Stinson
		Hutchinson	Stubbs
		Isaacks	Taylor
		Jones	Thornton
		Kelly	Turner
		Kennedy	Vale
		Kersey	Voigt
		Kinard	Walters

## Absent

Allen	Murray
Carrington	Phillips
Files	Stinson

## Absent—Excused

Bell	Celaya
Benton	Daniel

HOUSE BILL NO. 140 ON  
SECOND READING

Mr. Skiles moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 140 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133

Allison	Anderson
Alsup	Avant

Wattner  
Weatherford  
White

Whitesides  
Winfree

**Absent**

Allen	Dove
Carrington	Hardeman
Chambers	Heflin
Crossley	Hobbs
Deen	Huddleston
Donald	Murray

**Absent—Excused**

Bell	Celaya
Benton	Daniel

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 140, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 140 ON  
THIRD READING**

The Speaker then laid House Bill No. 140 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—127**

Allison	Clark
Alsup	Cleveland
Anderson	Coker
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bean	Crossley
Boone	Crothwait
Brawner	Davis
Bray	Dickson of Bexar
Bridgers	Dickson of Nolan
Brown	Duckett
Bruhl	Dwyer
Bundy	Ellis
Burnaman	Eubank
Carlton	Ferguson
Cato	Files

Fitzgerald  
Gandy  
Garland  
Gilmer  
Goodman  
Halsey  
Hanna  
Hardeman  
Hargis  
Harris of Dallas  
Harris of Hill  
Heflin  
Helpinstill  
Henderson  
Hileman  
Howington  
Hoyo  
Huddleston  
Huffman  
Hughes  
Humphrey  
Hutchinson  
Isaacks  
Jones  
Kelly  
Kennedy  
Kersey  
Kinard  
King  
Klingeman  
Lansberry  
Lehman  
Leyendecker  
Little  
Lock  
Love  
Lowry  
Lucas  
Lyle  
McAlister  
McCann  
McDonald  
McGlasson  
McLellan  
McMurry  
McNamara  
Manford

Manning  
Markle  
Martin  
Matthews  
Mills  
Montgomery  
Moore  
Morgan  
Morse  
Murray  
Nicholson  
Pace  
Parker  
Pevehouse  
Phillips  
Price  
Rampy  
Reed of Bowie  
Reed of Dallas  
Ridgeway  
Roark  
Roberts  
Rhodes  
Senterfitt  
Sharpe  
Shell  
Simpson  
Skiles  
Smith of Bastrop  
Smith of Atascosa  
Spacek  
Spangler  
Stanford  
Stinson  
Stubbs  
Taylor  
Thornton  
Turner  
Vale  
Voigt  
Walters  
Wattner  
Weatherford  
White  
Whitesides  
Winfree

**Absent**

Allen	Evans
Blankenship	Favors
Bullock	Fuchs
Burkett	Hartzog
Carrington	Hobbs
Chambers	Howard
Deen	Knight
Donald	Morris
Dove	Sallas

**Absent—Excused**

Bell	Celaya
Benton	Daniel

### RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 9, Authorizing the Loan of Certain Highway Equipment.

S. C. R. No. 10, Memorializing Congress in regard to Importation of Certain Live Stock.

### ADJOURNMENT

Mr. Anderson moved that the House adjourn until 10:00 o'clock a. m. tomorrow and that when it adjourns today it do so out of respect to the memory of Honorable Walter E. Jones of Atascosa County, a former Member of the House of Representatives.

The motion prevailed and the House accordingly at 11:30 a. m. adjourned until 10:00 o'clock a. m. tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills as follows:

Counties: H. B. No. 140; S. B. No. 105.

Game and Fisheries: H. B. Nos. 12, 138, 141, 142 and 143.

School Districts: S. B. No. 72.

Municipal and Private Corporations: H. B. Nos. 216 and 234.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 21, Expressing Regret at the Death of Eli T. Merriman.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 22, Expressing Regret at the Death of General W. E. Jackson of Hillsboro, Texas.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 23, Instructing the Committees on Rules of the Two Houses to meet in Joint Session for the purpose of drafting Proposed Permanent Joint Rules for the Forty-seventh Legislature.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 4, A bill to be entitled "An Act repealing all local or special laws regulating the taking, possession, or sale of fur-bearing animals in so far as they apply to Panola County, Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 108, A bill to be entitled

"An Act amending Senate Bill No. 427 of the Forty-sixth Legislature and providing for the employment of part-time employees by the heads of departments, boards, or commissions of the State Government; and providing for the salaries of such part-time employees; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 10, Appointing a Committee composed of three (3) Members of the House and two (2) of the Senate to Investigate and make a Report on the Agricultural Situation in the State of Texas in its Relation to the General Economic Structure of the State and Nation.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 30, Authorizing a Loan of Certain Highway Equipment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 3, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 31, Providing for the Loan of Certain Highway Equipment to the City of Rocksprings.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

**In Memory of**  
**Mr. B. W. Williams**

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Mr. Pace offered the following resolution:

H. S. R. No. 94, In Memory of Mr. B. W. Williams.

Whereas, B. W. Williams, Assistant Sergeant at Arms of the Forty-seventh Legislature, departed this life Saturday morning, February 1, 1941; and

Whereas, He was an honored citizen of Era, Texas, for more than half a century; prominent as a business man in that section for many years; a leader in the Baptist Church; charitable in his dealings; true to his friends; and faithful to every trust; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we express our sorrow at the death of B. W. Williams and further express our heartfelt and sincere sympathy to his family in this dark hour of their bereavement; and be it further

Resolved, That when the House adjourns on this day it be in memory of B. W. Williams and that a page of the Journal be dedicated for the purpose of paying tribute to this loyal fellow worker; and be it further

Resolved, That copies of this Resolution be forwarded by the Chief Clerk to the members of his family.

The resolution was read second time and was unanimously adopted by a rising vote.